

**STATE OF VERMONT  
BOARD OF MEDICAL PRACTICE**

C. Frederick Lord, M.D.	)	
	)	Docket Nos. MPN 36-0493; MPN 59-0897
	)	MPN 02-0198; MPN 14-0398
	)	

**AMENDED STIPULATION AND CONSENT ORDER**

NOW COME C. Frederick Lord, M.D., Respondent in the above-captioned matter, and the State of Vermont, by and through Attorney General William H. Sorrell and Assistant Attorney General James S. Arisman, agree and stipulate as follows:

1. C. Frederick Lord, M.D. (Respondent) holds Vermont Medical License Number 042-0007259, issued by the Board on May 9, 1985.

2. Respondent's Vermont medical license was **conditioned** and restricted, effective December 7, 2000, by Stipulation and Consent Order executed by Respondent and approved and entered by the Board.<sup>1</sup> See Exhibit 1 (attached). That Stipulation and Consent Order will be hereinafter referred to as "the December 7, 2000 Agreement" and is incorporated here by reference for purposes of amending Respondent's terms conditions of medical licensure.

3. Respondent is employed by Mt. Ascutney Hospital in Windsor, Vermont. Respondent previously maintained an active practice in orthopaedic surgery at this location and more recently has been involved in administrative, managerial, and other duties related to the hospital's daily operations.

Office of the  
ATTORNEY  
GENERAL  
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1. Respondent previously was subject to conditions of licensure relating to treatment for chemical dependency in Docket Number MPN 11-0393. He complied with all conditions imposed upon his license in Docket Number MPN 11-0393, maintained abstinence and an uninterrupted recovery, and subsequently was relieved of all conditions in that matter by order of the Board on April 3, 2002.

4. Jurisdiction vests in the Vermont Board of Medical Practice (Board) by virtue of 26 V.S.A. §§1353, 1354, 1361, and other authorities.

5. The above-captioned complaints, involved allegations of unprofessional conduct by Respondent related to quality of care concerns in the medical and/or surgical care of eleven patients. These acts were alleged to have occurred between 1986 and 1997. Ultimately, these matters were the subject of Respondent's December 7, 2000 Stipulation and Consent Order with the Board of Medical Practice. That agreement imposed restrictive conditions on Respondent's Vermont medical license with regard to his practice of orthopaedic surgery.

#### **I. Respondent's Current Practice Activities and Plans.**

6. Subsequent to the December 7, 2000 agreement Respondent increasingly became involved in practice activities and administrative duties not involving actual orthopaedic surgery. Respondent later determined that he would voluntarily and entirely cease the practice of orthopaedic surgery. On or about June 1, 2002 Respondent closed his clinical practice and stopped seeing patients.

7. Respondent has now determined that he will retrain in a new area of medical specialization and that he will not be involved in the practice of orthopaedic or other surgery in the future. The Board fully agrees with Respondent's decision to retrain and has concluded that it is appropriate to enter into a new agreement with Respondent establishing amended conditions of licensure intended to facilitate his retraining plans.

## II. Agreement as to Amended Conditions of Licensure.

8. Paragraphs 24 and 25 of the December 7, 2000 Agreement now may be treated as moot. Thus, these paragraphs may and shall be struck in their entirety.

9. Respondent agrees that following the effective date of this agreement he shall not perform surgery of any kind, regardless of location or the passage of time. The parties agree that the term “surgery” shall be defined for the purposes of this agreement to include, but not necessarily be limited to, manual or operative procedures for: (a) the correction of deformities and defects; and (b) the operative repair of injuries that would be deemed to be within the usual purview and practice of a general, orthopaedic, or other surgeon.<sup>2</sup> See, Taber’s Cyclopedic Medical Dictionary at 2095-96 (19<sup>th</sup> ed. 1997). Respondent knowingly and voluntarily agrees to the requirement set forth in this paragraph and acknowledges that he understands that this restriction will hereafter govern his practice of medicine and will prevail wherever he may practice in the future. If the Board has reason to believe that Respondent has acted contrary to the terms of this agreement in any jurisdiction, Respondent acknowledges and agrees that the Board shall retain the right to take action pursuant to the provisions of this Stipulation and Consent Order. See, also, Paragraph 16, below.

10. In light of the provisions of the paragraph appearing immediately above, Paragraphs 26 through 65 of the December 7, 2000 Agreement are unnecessary and shall be struck in their entirety.<sup>3</sup> Sentence four of Paragraph 70, beginning with the word, “However”

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2. The parties agree that emergent care of minor injuries, e.g., care and suturing of minor lacerations due to injury, shall not be deemed to be contrary to the provisions of Paragraph 9.

3. Paragraph 62 is no longer necessary as Respondent no longer serves as a “team physician” for athletic events. Respondent assures that he shall follow the provisions of Paragraph 62 in the event that he might serve as a “team physician” at a later date.

also shall be struck in its entirety from this paragraph as it is now moot. The remainder of Paragraph 70 shall remain unchanged. Paragraph 71 of the December 7, 2000 Agreement shall be struck in its entirety as it is also moot.

11. For purposes of keeping the Board informed, Respondent agrees that he shall promptly and in good faith make available to the undersigned Assistant Attorney General or the Vermont Board of Medical Practice substantive correspondence, applications, curricula, and evaluations pertaining to his retraining plans and activities. Respondent shall not be required to provide copies of information that is duplicative, non-substantive, or unduly burdensome. Respondent also agrees to keep the Vermont Board informed of his licensure status in other jurisdictions, e.g., the State of Florida, and any changes in his licensure status in other jurisdictions. Following substantial completion of his retraining program, Respondent may petition the Board for relief from the requirements of this paragraph. The Board, in its sole discretion, may approve or disapprove such petition.

12. Respondent agrees that he shall promptly provide a complete copy of this agreement and its attachment, Exhibit 1, to any and all prospective employers, certifying organizations, privileging institutions, state or other licensing authorities to which he may apply.

13. Respondent acknowledges that he is voluntarily agreeing to this Amended Stipulation and Consent Order. The parties agree that the instant Amended Stipulation and Consent Order imposes appropriate conditions on Respondent's license to practice medicine and that these terms and conditions provide a proper framework for protection of the public health, safety, and welfare.

14. Respondent understands and agrees that he is waiving any right he may possess to be served with a formal Specification of Charges, to challenge the jurisdiction and continuing jurisdiction of the Board in these matters, to be presented with the State's evidence against him, to cross-examine any adverse witnesses, and to offer evidence of his own. Respondent agrees that he has had the opportunity at all times to have the assistance and advice of counsel in reviewing and agreeing to this Amended Stipulation and Consent Order.

15. The parties agree that any future petition from Respondent for modification of any of the terms and conditions of this agreement shall be presented in a form satisfactory to the Board and shall state the reasons for such proposed modification. The Board may request additional information from Respondent or other sources. The Board, in its sole discretion, within the confines of its authority, may approve or disapprove the petition for modification. Respondent expressly agrees that the Board's determination as to such petition shall be final and unreviewable.

16. Respondent agrees he shall be bound by all terms and conditions of this Stipulation and Consent Order. Respondent agrees that the Board of Medical Practice shall retain jurisdiction to enforce all terms and conditions of this Stipulation and Consent Order during its lifetime. Respondent expressly agrees that any failure by him to comply with the terms of this Stipulation and Consent Order, expressly including, but not limited to those pertaining to surgery, as set forth in Paragraph 9, above, and its reporting requirements, may constitute unprofessional conduct under 26 V.S.A. §1354(25) and, after hearing, shall subject Respondent to such disciplinary action as the Board may deem appropriate.

17. Respondent reiterates that he understands and agrees that the terms and conditions set forth herein shall be imposed permanently upon his license to practice medicine in the State of Vermont, pursuant to this Amended Stipulation and Consent Order. He understands and expressly agrees that these terms and conditions shall apply wherever he may practice in the future, regardless of location or the passage of time.

Dated at Montpelier, Vermont, this 30<sup>th</sup> day of March 2004.

STATE OF VERMONT

WILLIAM H. SORRELL  
ATTORNEY GENERAL

by:

James S. Arisman  
JAMES S. ARISMAN  
Assistant Attorney General

Dated at Montpelier, Vermont, this 30<sup>th</sup> day of March 2004.

C. Frederick Bord  
C. FREDERICK BORD, M.D.  
Respondent

HERMONT BOARD OF MEDICAL PRACTICE  
 Peter Hanastrowicz  
 Elbert J. Smith  
 Wm. B. Webber  
 Margaret Fink Martin  
 Lawrence Young  
 Richard A. Green

ENTERED AND EFFECTIVE: April 7, 2004

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